

Draft Accessory Apartment By-law

March 11, 2015

3.3.1.3 Accessory Apartment

A. Purpose.

1. Add moderately priced rental units to the housing stock of the Town.
2. Provide homeowner(s) with a means of obtaining rental income, accommodation for caregiver(s), companionship, security and/or services, thereby enabling him/her to stay more comfortably in their homes.
3. Protect property values and the single-family residential character of neighborhoods by ensuring that accessory apartments are permitted by right only on owner occupied premises.

B. Accessory Apartments. An accessory apartment may be permitted by right, as an accessory use where the principal use of the lot is an owner occupied single-family dwelling.

C. Accessory Apartment, shall be subject to the following conditions:

1. An accessory apartment shall only be constructed within an existing principal building or structure, an existing attached accessory building or structure, or an existing detached accessory building or structure.
2. Only one (1) accessory apartment shall be permitted on a lot.
3. The **maximum** gross floor area of an accessory apartment constructed within a principal building or structure shall not exceed forty percent (40%) of the **maximum** gross floor area of the principal building or structure. The **maximum** gross floor area of an accessory apartment shall not be less than 300 square feet. The principal dwelling unit shall not be reduced to less than 300 square feet.
4. To qualify as an accessory apartment, the owner of the lot must occupy either the accessory apartment or the principal dwelling unit.
5. The principal or accessory structure or building that will contain an accessory apartment shall not be enlarged or extended in connection with the construction or modification of an accessory apartment, except to comply with building, safety or health codes as outlined in Section 3.3.1.2.A of these By-laws.
6. All parking for the occupant(s) of an accessory apartment shall be off-street in accordance with Section 7.3.1.4 of these By-laws.

7. An accessory apartment shall meet all applicable standards of the State Building Code (780 CMR) and the State Environmental Code, Title V (310 CMR 15.00) and subsequent revisions thereof.